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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,629	06/29/2001	Clifton S. Bate	50310-00670	4879

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PHILADELPHIA, PA 19103-7301

EXAMINER

VU, KIEU D

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 04/20/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/893,629

Applicant(s)

BATE, CLIFTON S.

Examiner

Kieu D Vu

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration:
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2-3, 6</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. The specification is objected since it does not contain the Serial Number of the Provisional Application listed on page 1.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 2-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 is indefinite since it depends on itself.

Claims 3-10 depends on claim 2, therefore, they are rejected for the same rationale.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 6-19, 22-27, and 30-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shwarts et al ("Shwarts", USP 6144380) and Weeren et al ("Weeren", USP 6501956).

Regarding claims 1, 27, and 35-36, Shwartz teaches steps for providing a jump menu for directly navigating to selected cards (pages or screens of information) in a deck (plurality of pages containing information) (col 2, lines 13-18). Shwartz teaches the displaying the first card (for example page 3 in Fig. 16), inputting a navigational request (tapping the bookmark button 80; col 10, lines 63-66), displaying a second card in response to the request (display page 2 in Fig 18), inputting a jump menu request and displaying jump menu (330 in Fig. 16), wherein the jump menu comprises menu items for directly navigating to at least two cards (return to page 2), and wherein at least one of said two cards is in said first deck (pages 2 and 3). Shwartz does not teach that cards are screens of information on a wireless communication device. However, such feature is known in the art as taught Weeren. Weeren provides a user interface of a wireless telecommunication device that enables the navigation through several cards (col 7, lines 19-31). Since both references are in the same field of enabling the navigation through screens containing information on portable devices, it would have been obvious to one of ordinary skill in the art, having the teaching of Shwartz and Weeren before him at the time the invention was made, to apply the using jump menu for navigation taught by Shwartz in the wireless communication device taught by Weeren so that user can easily and quickly navigate through screens on the wireless communication device.

Regarding claim 2, Shwartz teaches the identifying previously displayed card (col 2, lines 61-64), providing menu items in the jump menu corresponding to the previously displayed card (col 2, lines 61-64), and displaying jump menu on the display (Fig. 16).

Regarding claim 3, Weeren teaches sending a request for the first deck (several cards) from the wireless communication device to the server computer; and sending the first card in the first deck from the server computer to the wireless communication device in response to the request for the first deck (display first screen; col 7, lines 19-21).

Regarding claims 7, 15-16, and 31, Shwartz teaches that a level of separation from a most recently displayed card is indicated in the jump menu for each menu item included therein (indications of page 2 and page 3 in Fig. 17).

Regarding claims 6, 14, 22, 23, and 30, Shwartz teaches a home menu item is provided in jump menu (Fig. 16).

Regarding claims 8, 17, 24, and 32, Shwartz teaches the including a second most recently displayed card and exclude a most recently displayed card (specifying in 404 of Fig. 22).

Regarding claims 9, 18, 25, and 33, Shwartz teaches the jump menu includes menu items corresponding to a set of cards in the first deck that link a most recently displayed card to the first card (inherent through the navigation on the menu).

Regarding claims 10, 19, 26, and 34, Shwartz teaches the jump menu comprises a first set of menu items corresponding to recently displayed card and a second set of menu items corresponding to cards preselected for inclusion in every jump menu (Fig. 16-18 and 22).

Regarding claim 11, Shwartz teaches the determining a most recently displayed card (previous page; col 2, lines 61-64), identifying menu items in the

Art Unit: 2173

jump menu corresponding to a most recently displayed card (col 2, lines 61-64), and displaying jump menu on the display (Fig. 16).

Regarding claim 12, Weeren teaches sending a request for the first deck (several cards) from the wireless communication device to the server computer; and sending the first card in the first deck from the server computer to the wireless communication device in response to the request for the first deck (display first screen; col 7, lines 19-21).

6. Claims 4-5, 20-21, and 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shwartz, Weeren, and Nielsen (USP 5854630).

Regarding claims 4, 20, and 28, Shwartz and Weeren do not teach the including at least two most recently displayed cards. However, such feature is known in the art as taught by Nielsen. Nielsen teaches a system enabling web tracking which provide a list of recently visited URLs for user selection (abstract, col 2, lines 1-9). It would have been obvious to one of ordinary skill in the art, having the teaching of Shwartz, Weeren, and Nielsen before him at the time the invention was made, to modify the menu system taught by Shwartz and Weeren to include the list of recently visited page (card) taught by Nielsen with the motivation being to enable the quick and direct navigation to previous pages.

Regarding claims 5, 21, and 29, Shwartz that a level of separation from a most recently displayed card is indicated in the jump menu for each menu item included therein (indications of page 2 and page 3 in Fig. 17).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu whose telephone number is (703-

Art Unit: 2173

605-1232). The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703- 308-3116).

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-872-9306

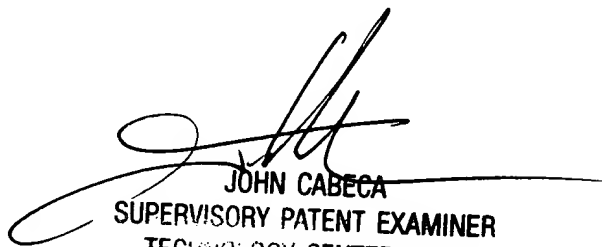
and / or:

(703)-746-5639 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu

04/14/04

  
JOHN CABECA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100